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Michael R. Fitzgerald
Owner, Twin Buttes Ranch, LLC

Regarding

H.R. 1630
Petrified Forest National Park Expansion Act of 2003

Before the Subcommittee on National Parks, Recreation and Public Lands
U.S. House of Representatives
June 10, 2004

Mr. Chairman and members of the committee, I am Michael Fitzgerald, owner of the Twin Buttes Ranch that borders a large portion of Petrified Forest National Park in Navajo County. I appreciate the opportunity to state today my strong support of H.R. 1630. I applaud Congressman Renzi's leadership in sponsoring this important legislation and thank the Chairman for scheduling this hearing. I cannot express how relieved I am that we have come to this long-awaited hearing and I urge the subcommittee to act favorably and quickly on this bill.

My family, which includes my wife, Carol, and our three children, have either lived on or worked this ranch since 1986, when we received it as part of a three-way trade with the federal government after we felt compelled to cede our former ranch, located on the eastern side of the park, as part of the Navajo-Hopi Relocation Act of 1974. We typically run a 600 cow/calf operation over the 38,400 acres of the ranch, of which about 80 percent is deeded and 20 percent is composed of state and BLM lands.

By the time I had taken title to the ranch, I realized that the Park Service was interested in adding portions of the ranch to the park. At first, I was not interested in another land trade. But over the years I have learned about the wealth of pueblo sites and rock art galleries contained within the ranch and, more recently, about its potential to hold fossils of great importance to scientific learning about the early age of the dinosaurs. I also understand that my maintaining the open range has benefited the park and its visitors, whose vistas of the Painted Desert and Chinle escarpment from prominent viewpoints along the park's road include large portions of my holdings.

The ranch has remained well protected over the years as a result of our cattle ranching operation and its limited access from paved roads. Carol and I place a high priority on the innate value of the land and its wildlife and we have demonstrated this commitment, for example, by providing permanent water sources for wildlife. Even though our commitment to the land runs deep, we recognize that we cannot adequately police the ranch from pot hunters and thieves. And we have found we cannot rely on local law enforcement to help us combat the rising tide of encroachment by grave robbers. Further, because we do not control the mineral rights within our ranch, we are powerless to stop commercial-scale mining—with trackhoes and unreclaimed spoil piles—that render our rangeland worthless by others who unearth buried petrified logs.

These factors, combined with the economics of ranching in Northeastern Arizona, have made us willing sellers and we wish to see the ranch and its scientifically valuable artifacts protected within the park. Two years ago, we deferred our grazing privileges on public lands and sold all our cattle. As a result of increases in artifact theft, the fluctuating beef market and drought, we simply cannot protect the land and its important resources as the Park Service could. And we would much rather see the ranch kept intact than having to sell it to a company that would subdivide it into recreational ranchettes. If this were to happen, the important fossil and archaeological sites would be forever lost to science.

I am a willing seller and will consider either a cash purchase or land trade with the federal government for my holdings in the Twin Buttes Ranch as long as such a sale or trade is in my family's best interest. I will insist, however, that the government purchase my entire ranch and not leave me with uneconomic remnants. It is my understanding that the proposal offered by Congressman Renzi and that supported by the

Park Service, accommodates this request.

The original proposal contained in the park's 1992 General Management Plan would not be acceptable to me as it considered adding only the highlands portion of my ranch—the Ramsey Slide that contains the Chinle escarpment—while leaving the lowland portions of the ranch presumably to be maintained as part of my cattle ranching operation. But this proposal was not feasible as such a configuration would have bisected my ranch into two separate and far-removed pastures. It also would have greatly constricted my access between the two remaining pastures to a parcel of public land over which I would have no control. So this earlier proposal would have left me with a significant reduction in the number of cattle I could have run on the remaining lands, made my management of the ranch extremely difficult and, thus, would have left me with an unviable and uneconomic ranch. Therefore, I appreciate the fact that Congressman Renzi and the Park Service understand my situation and that their current proposal includes purchase or exchange for my entire ranch.

The idea to incorporate our entire ranch into the park has the support of prominent paleontologists and archaeologists that I have had the good fortune to work with these past two years. Many important and promising paleontological and archaeological sites exist on the Twin Butte Ranch that were unknown to the Park Service when they prepared their proposal in 1992. This oversight is largely a result of the fact that the government did not have access to our private lands.

Since 1992, when the Park Service first recommended its expanded boundary, paleontologists working in the area have discovered the immense significance of the upper portion of the Chinle escarpment for their understanding the late Triassic period. The Twin Buttes Ranch includes substantial amounts of the upper Chinle. In addition, leading archaeologists at Northern Arizona University, most notably Dr. Kelley Hays-Gilpin, have mapped extensive archaeological sites on the Twin Buttes Ranch that either were not known or whose location was not well understood by the Park Service in 1992. Finally, including my entire ranch into the park would also capture miles of healthy riparian areas along the Puerco River, for which I understand the Park Service has made restoration and recovery of its vital wildlife habitat a high priority.

In closing, I would like the Subcommittee to understand that my family has waited patiently for over twelve years to establish resolution to the Park Service's proposal to purchase the Twin Buttes Ranch. There has been a lot of activity regarding this bill over the past four years and this is the second Congress to see an expansion bill introduced. At this point, we find ourselves needing to make long-term business decisions regarding the disposition of our ranch and I respectfully request that you help us to immediately resolve this issue.

Thank you for inviting me to appear before you today and for considering my views. I would be happy to answer any questions.